IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 7TH MARCH 2007 / 16TH PHALGUNA 1928

Bail Appl..No. 1363 of 2007

CRIME NO.361/2006 OF POOTAPPALLY POLICE STATION

PETITIONERS/ACCUSED 1 TO 3

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1. GOVINDANKUTTY, S/O.KRISHNA PILLAI,
   POIKAVILA VEEDU, MUTTARA (PO),
   ODANAVATTOM VILLAGE, KOTTARAKKARA.

2. BINU, S/O.SREEKANDAN NAIR,
   BINU BHAVAN, MUTTARA (PO), ODANAVATTOM VILLAGE,
   KOTTARAKKARA.

3. MANU, MAYA VILASOM,
   PIRAVANTHOOR, PIRAVANTHOOR VILLAGE,
   PATHANAPURAM.

BY ADV. SRI.K.V.ANIL KUMAR

RESPONDENTS:

THE SUB INSPECTOR OF POLICE
POOYAPPALLY, REP, BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1363/2007

Dated this 7th day of March, 2007

O R D E R

The petitioners who are accused Nos.1 to 3 in Crime No.361/2006 of Pooyappally Police Station for offences punishable under Sections 324, 326, 452 and 506(ii) IPC read with Section 34 IPC, seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 5.00 p.m on 10.6.2006, the accused persons trespassed into the house of the defacto complainant and attacked her husband with iron rod and stick causing injuries including fracture on his leg.

4. It is too early to accept the contention of the petitioners that they have been falsely implicated in the case.

5. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for interrogation and then to have their applications for regular bail considered by the Magistrate concerned.

6. Accordingly the petitioners are directed to surrender before the Investigating Officer on any day between 13.3.2007 and 15.3.2007 for the purpose of interrogation and recovery of incriminating materials, if any. The petitioners shall thereafter be produced on the same day before the Magistrate concerned, who shall consider and dispose of the applications, if any, filed by the petitioners for regular bail, preferably on the same day on which the applications are filed.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs